

Remarks

Status of Claims

1-37	Claims of priority application
1-3 and 15-37	Canceled by preliminary amendment
38	Added by July 24, 2000 amendment
8-14	Canceled without prejudice in response to a Restriction Requirement
39-49	Added response to a Restriction Requirement
5-7 and 42-49	Canceled without prejudice in response to an Election of Species
4 and 38-41	Remain pending

Allowable Claims

Claims 40-41, have been found allowable over the prior art of record.

Claim Rejections Under 35 USC §112, first and second paragraphs

Claims 4 and 38-39 were rejected as containing new matter based upon the inclusion of an exclusionary proviso in independent claim 4. The claims were also rejected as being indefinite based upon the use of such terms as "carboalkoxy", "di-loweralkylamido" and "methylene dioxy."

Rather than argue the rejections, and as prosecution of this application has already been quite extended, Applicants have chosen to cancel the offending phrases from the claims, and respectfully request that the rejections be withdrawn.

Claim Rejections Under 35 USC §102(b)

Claim 4 was rejected as being anticipated by Mukai *et al.*, Gan *et al.*, Leyshon *et al.* or Miyano *et al.* Each reference is said to disclose compounds that fall within Applicants' claim 4.

**Mukai *et al.*** In light of the removal of the proviso from claim 4, it is no longer a choice that R<sup>6</sup> and R<sup>7</sup> both be -H.

**Gan *et al.*** In light of the removal of the proviso from claim 4, it is no longer a choice that R<sup>6</sup> and R<sup>7</sup> both be -H.